United Nations S/PV.6108

Security Council

Sixty-fourth year

Provisional

6108th meeting

Tuesday, 21 April 2009, 10 a.m.
New York

President:	Mr. Heller	(Mexico)
Members:	Austria	Mr. Mayr-Harting
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. La Yifan
	Costa Rica	Mr. Guillermet
	Croatia	Mr. Vilović
	France	Mr. Ripert
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Gouider
	Russian Federation	Mr. Churkin
	Turkey	Mr. İlkin
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

Maintenance of international peace and security

Mediation and settlement of disputes

Report of the Secretary-General on enhancing mediation and its support activities (S/2009/189)

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09-30825 (E)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Maintenance of international peace and security

Mediation and settlement of disputes

Report of the Secretary-General on enhancing mediation and its support activities (S/2009/189)

The President (*spoke in Spanish*): I should like to inform the Council that I have received letters from the representatives of Algeria, Armenia, Azerbaijan, Benin, Bosnia and Herzegovina, Brazil, Canada, Cuba, the Czech Republic, Egypt, Finland, Indonesia, Kenya, Liechtenstein, Morocco, Nigeria, Norway, Pakistan, Qatar, the Republic of Korea, Senegal, South Africa, Switzerland, the United Republic of Tanzania and Uruguay, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/189, which contains the report of the Secretary-General on enhancing mediation and its support activities.

At this meeting, the Security Council will hear a briefing by Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs. I now give him the floor.

Mr. Pascoe: Last September, the Security Council met under the leadership of the President of the Republic of Burkina Faso for a high-level debate on mediation (*see S/PV.5979*). During that debate, the Security Council identified many of the key issues and challenges facing the international community in resolving disputes peacefully. In its presidential statement (S/PRST/2008/36), the Council invited the Secretary-General to provide a report on

> "mediation and its support activities, which takes into account experiences of the United Nations and other key actors, and makes recommendations for enhancing the effectiveness of United Nations mediation".

The report before members responds to that and benefited from a broad consultation process. In addition to internal consultations, the report drew on the experiences and views of Security Council members, individual Member States, all those acting as mediators, regional and subregional organizations, and non-governmental organizations. It attempts to synthesize many years of United Nations experience in mediating conflict both between and within States.

The report provides an opportunity to take stock of efforts under way in the Secretariat, under the lead of the Department of Political Affairs (DPA), to bolster and professionalize the mediation capabilities of the United Nations. The Secretary-General has called for a more proactive use of preventive diplomacy by the United Nations, and our ability to support and carry out mediation is central to that vision. The release of the report also coincides with critically important efforts by Member States and the Secretariat to examine the present and the future of United Nations peacekeeping.

These issues are, of course, closely related. A United Nations that is more effective in the practice of mediation will be more adept both at heading off conflicts before they become full-blown crises and at bringing such crises to a peaceful and lasting end before it is necessary to resort to peacekeeping. Effective mediation can help us to arrive at sound agreements that can be successfully implemented, and

then assist the facilitation and dialogue needed throughout the later phases of the effort.

Mediation must continue as a central part of the process of peacekeeping and peacebuilding. For example, the head of the United Nations peacebuilding mission in Sierra Leone, Michael von der Schulenburg, has been busy in recent weeks encouraging dialogue to defuse the most recent political tensions there. We might also witness the efforts of Special Representative Doss in the United Nations Organization Mission in the Democratic Republic of the Congo and former President Obasanjo to bring peace to the eastern Democratic Republic of the Congo. Strengthening mediation capacity is also an important objective to keep in mind, therefore, as we strive collectively at the United Nations to do a better job in the area of peacebuilding.

I would like to turn to some of our key initiatives and recent efforts in the mediation field. These are part of a conscious effort to reshape the Department of Political Affairs into a more action- and field-oriented operation that can move more quickly and at an earlier stage to help prevent conflicts from spreading and to deliver faster and more reliable support to peace processes. As directed by the Secretary-General, we are working to put in place the expertise, financial resources, partnerships and knowledge base to attain those objectives. We deeply appreciate the support we have received from members of the Council and other Member States for those efforts.

The political support and financial resources that Member States have provided through the regular budget and voluntary contributions have enabled us to strengthen our regional divisions and to establish the Mediation Support Unit (MSU). The Unit has been further complemented with a standby team of mediation experts able to deploy to negotiations around the world on short notice and to provide advice and assistance to mediators on such themes as peace process design, security arrangements, power-sharing, wealth-sharing, natural resources management and constitution-making.

In the past year, DPA has provided mediation support to more than 20 peace processes, with the MSU exerting a multiplier effect on those efforts. We have striven to take a flexible and innovative approach to peacemaking. We have made our technical advisory services available to United Nations envoys and representatives, of course, but also to Member States, regional organizations and others that may be leading a mediation effort. We also try to provide high-quality technical support in a timely manner. Experts can now be dispatched to a mediation scene in days, not weeks. Those innovations are already making a difference in our ability to provide real support to peace processes. Let me provide some concrete examples.

In Somalia, Special Representative Ould Abdallah has spearheaded a mediation effort that many observers see as the most promising effort in years aimed at bringing about political reconciliation in that country. We provided close support to those efforts in working with the parties to develop the 26 October 2008 Djibouti Agreement.

If I might digress for a moment, I would like to mention to Council members and to others in the audience that, on Thursday, 23 April, we are holding a donors conference in Brussels to follow through on resolution 1863 (2009) on support for Somalia. As Council members know, the conference aims to raise funds for the Somali security forces and for the African Union Mission in Somalia. I hope members will urge their Governments to attend at a high level and to provide generous support.

In the Central African Republic, our political mission on the ground played a key role in carrying out an all-inclusive national political dialogue. DPA's training to the preparatory committee contributed to the success of that dialogue.

In Cyprus, we deployed facilitators to the technical working groups during the preparatory phase of the talks and continue to work closely with Alexander Downer, Special Adviser to the Secretary-General, including technical support on power-sharing and property issues.

In Nepal, we continue to support Karin Landgren, Special Representative of the Secretary-General, with mediation and facilitation assistance in the implementation phases of the peace agreement.

In Iraq, Special Representative of the Secretary-General De Mistura is leading an increasingly visible role in fostering political reconciliation, supported from New York by a variety of expertise on issues relating to the disputed internal boundaries, Kirkuk, water-sharing and the constitution.

We also have supported missions led by the Department of Peacekeeping Operations in Darfur, Kosovo and the Democratic Republic of the Congo as the Special Representatives of the Secretary-General work either to reach peace agreements or to move through the incredibly difficult task of implementing peace accords. It is important to note that United Nations political mediation efforts are being carried out not only in classic peacemaking situations, such as in Cyprus or the Western Sahara, but also through the day-to-day work of the political missions in the field. These missions spend much of their time trying to broker dialogues and to use preventive diplomacy to put out the fires that arise.

Our services have also been put at the disposal of regional organizations that are in the lead of political processes. In Kenya, for example, where former Secretary-General Kofi Annan led the effort, our team assisted him in preparing the mediation effort and on elections, security and constitutional issues. Since September 2008, in the Comoros we have been supporting African Union efforts on an inter-Comorian dialogue.

We have also found that a regional presence can be an effective way to mediate disputes. Through the United Nations Office for West Africa, we have been able to work with the Economic Community of West African States (ECOWAS) and the African Union on such issues as Mauritania and Guinea, without the deployment of a stand-alone mission. Most recently, Special Representative of the Secretary-General Djinnit has undertaken a preventive mission to Togo to consult with authorities there on recent developments in the country. That is part of our ongoing work with ECOWAS and regional leaders to prevent conflicts in the region.

Our Central Asian office in Ashgabat is leading an effort to help the five countries resolve tensions over water issues, among other issues of regional concern. A key role is being played by a specialist on natural resource management from the MSU standby team. The effectiveness of these regional efforts has encouraged our suggestion to establish a regional presence in the Central African region, as requested by members of the African Group.

It is important that our ability to move quickly to mediate disputes has been improved by the establishment of a small mediation start-up budget, funded by donors. DPA's modest travel budget cannot sustain the emergency dispatch of crisis prevention teams. We were able to deploy and sustain a small team in Madagascar to mediate the current crisis in the country; send envoys such as Assistant Secretary-General Menkerios to support regional efforts on Zimbabwe; or get former President Obasanjo's mission to the eastern Democratic Republic of the Congo up and running in the midst of the fighting with those extrabudgetary funds. Advance planning and ready resources are key to effective early mediation when trouble develops.

The kinds of mediation activities I have described today are now routinely expected by our envoys and representatives. Our Department has traditionally worked hard to meet these demands. However, the creation of the Mediation Support Unit and its standby team of mediation experts has given a tremendous boost to those efforts by providing readily available, in-house mediation expertise. Presently, most of our funding comes from the generosity of donors, which continues to be of critical importance.

Our challenges in the mediation of conflicts are shared by the entire international community and it is the responsibility of all of us to act in concert to solve them. To do this, it is essential that we have partnerships with Member States, regional organizations and non-governmental organizations.

Regional organizations are often best placed to take the lead in mediation efforts, and some have a wealth of mediation expertise in their own right. Where requested, we have assisted in their mediation efforts and in strengthening the mediation capacity of regional organizations. In Africa, we have benefited from the cooperation of the African Union, ECOWAS and the Southern African Development Community (SADC) in mediation efforts in Darfur, Zimbabwe, Kenya, Madagascar, Guinea, Burundi and other areas.

I would like in particular to recognize the outstanding efforts in extraordinarily difficult circumstances of Djibril Bassolé, Joint African Union/United Nations Chief Mediator for Darfur. We also continue working closely with SADC, the African Union and the Economic Community of Central African States to build mediation capacity.

As one sign of our strong partnership with the African Union, a couple of days ago we concluded a joint assessment of our cooperation in two cases:

Darfur and Kenya. That was a very productive meeting and we are planning to follow up on our work together on Somalia.

In Europe, we have made significant strides in enhancing our mediation partnership with the European Union (EU), including the Commission. We welcome the recent discussions in the EU on developing its own mediation capacity. We look forward to working with all relevant regional actors, sharing expertise and lessons learned, developing joint training opportunities, and working together on the establishment of a geographically diverse roster of mediation experts.

We certainly recognize that many areas require improvement. Mediation requires skill and knowledge, but it can be a complex operation with its own logistics, staffing and technical requirements. If envoys are to succeed, they need more than just their individual talents and experience. We are making a systematic effort to support them in the planning and management of peace processes.

Working with other parts of the United Nations system, Member States, regional organizations and non-governmental organizations, we are putting a system in place that will include five levels of support for envoys: mediation planning, which would include assessment of requirements and mobilizing to meet them; the development of a small pool of operational-level on-call mediators to manage the day-to-day functions of a mediation effort; the standby team of mediation experts, which will continue for the next year; the development of a small but reliable roster of internal and external experts; and establishing a small team of geographically diverse experienced senior envoys to provide mediation advice.

We will also combine this specialized response capability with a rigorous training curriculum for our regional specialists. All political officers should have basic training on aspects of mediation. United Nations mediation capacities, its lessons learned and tools are not proprietary information; they are available to all who need them. Working together, we should promote an understanding among Member States that United Nations mediation, including good offices, facilitation and dialogue, is a service offered by the Secretary-General at all phases of a conflict. All Member States should be comfortable requesting and utilizing this service when required. We need to combine our capacity-building with confidence-building, that is, confidence that United Nations mediation is an impartial and effective tool for conflict resolution. Reticence to involve outside actors has at times translated into lost opportunities by Member States to make use of what the United Nations has to offer. We are here to help, but only if we allowed to do so.

The report makes it clear that the United Nations does not have a monopoly on mediation. This also applies to the accumulation of knowledge and best practices on mediation. We have provided leadership in developing a Web-based repository of information on mediation, called the United Nations Peacemaker, but we will need to work closely with our partners to consolidate and disseminate this knowledge. This online support tool for international peacemaking professionals has over 800 documents, with more than 300 peace agreements, and 15 operational guidance notes, with another 22 in development. United Nations Peacemaker was developed on a limited budget and will now need to be more properly maintained and upgraded.

To be successful in our collective mediation effort, we need to be constantly learning new lessons and applying them. For this reason, we have put in place a debriefing programme for senior envoys, which allows us to capture the experiences that they have had. We are also working on a peace agreement evaluation project, which will look at factors in peace processes and agreements that contribute to the sustainability of peace. We are considering other innovative programmes to take stock of lessons learned from successful mediations and mediators. Again, I want to note that these initiatives would not have been possible without the support of Member State donors, and we deeply appreciate their generosity.

In conclusion, I want to say that we have very clearly heard the call of the Security Council and the instruction of the Secretary-General to develop a more rigorous and effective approach to mediation. Mediation is a Charter activity of the United Nations and must be carried out with the highest degree of professionalism, transparency and preparation to promote peace and security. We are deeply grateful for the Council's support to date and hope to continue to earn it in the future.

The President (*spoke in Spanish*): I thank Mr. Pascoe for his briefing.

In accordance with the understanding reached among Council members, I wish to remind all speakers to limit their statements to no more than five minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We welcome this meeting of the Security Council to address so topical an issue as that of mediation and settlement of disputes. Mediation, quite clearly, is a very cost-effective political method for the international community to respond to conflict situations. We are grateful to the Secretary-General for having presented his first report on this topic (S/2009/189), and of course to Under-Secretary-General Pascoe for today's comprehensive briefing and for his efforts to enhance United Nations mediation activities.

The description in the Secretary-General's report of the situation of United Nations mediation assistance to parties to a conflict requires study and analysis, and all the more so as a number of its provisions raise several questions. Inter alia, it sets out the rather overreaching objective of having a 'standing rapid-response mediation capacity. There is a reference to the formulation by the Department of Political Affairs of a long-term programme to assist mediation efforts. We believe that this aspect of the Secretariat's plan requires additional clarification, first and foremost as regards sources of financing. We expect this long-term programme not to involve allocating to the Department additional resources from the regular budget in addition to those provided by the relevant General Assembly decisions.

The report legitimately notes that the United Nations does not have a monopoly on mediation. The use of regional agencies and arrangements is an important mechanism provided for in Article 33 of the United Nations Charter. In turn, Chapter VIII of the Charter indicates to Member States the priority to be given to resolving local disputes using those agencies and arrangements before referring them to the Security Council. A number of regional organizations have accumulated significant mediation experience. The United Nations should utilize this in its activities and approach issues of mediation on the basis of the principle of a judicious division of labour with regional and subregional structures.

In addition to cooperation with the recognized partners in this field, including the African Union, the Organization for Security and Cooperation in Europe and the European Union, cooperation with organizations actively accumulating experience, such as the Shanghai Cooperation Organization and the Collective Security Treaty Organization, is promising.

The work of a mediator requires great craftsmanship and finesse. It is the result of commitment, tact and knowledge of the historical, cultural and other specificities of conflicts. We note here the importance of a careful selection of United Nations mediators on the basis of objective, universally accepted criteria. One should approach this in a balanced way, avoiding any excessive bias towards a particular political or regional group. Quite clearly, mediators' activities should be carried out transparently via the Security Council, and, when the Council has provided them with a mandate, they should be accountable to it.

In mediation, one cannot impose unilateral decisions or provide any grounds to suspect the mediator of any prejudice or bias in favour of one side or the other. Failure by the mediator to fulfil even one of those conditions unavoidably leads to the emergence of problems. It is enough to recall the situation of the settlement around Kosovo.

Experience in conflict prevention and resolution clearly shows that only mediation, which does not use force or the imposition of conditions to resolve a conflict but rather aligns the parties' positions and searches for areas of agreement and mutually acceptable solutions, stands any chance of success. On the basis of these fundamental principles, the Russian Federation participates in mediation activities and actively supports such efforts by the United Nations and other international and regional organizations.

Mr. Le Luong Minh (Viet Nam): The Vietnamese delegation thanks you, Sir, and the Mexican presidency for taking the initiative of holding this debate of the Council on the important topic of mediation and the settlement of disputes. I thank Under-Secretary-General Lynn Pascoe for his comprehensive briefing.

We align ourselves with the statement to be delivered by the representative of Cuba on behalf of the Non-Aligned Movement.

The fact that this issue is enshrined in the Charter testifies to the importance that the United Nations attaches to the peaceful settlement of disputes and conflicts, including through mediation. The increase in the number of conflicts and their negative impact on international peace, security and development, together with the increase in the United Nations budget for peacekeeping, makes conflict prevention and resolution through mediation and the role of the United Nations in this connection more necessary and urgent than ever.

We welcome the publication of the Secretary-General's report on mediation (S/2009/189), which we believe will constitute a major step forward in promoting mediation as an effective tool in resolving disputes and conflicts. The Mediation Support Unit had, by late 2008, supported 18 peace processes in the world and, within the short period since its establishment in 2006, has become a very important tool for supporting the good offices and mediation efforts conducted not only by the United Nations but also by regional organizations. These efforts manifest the increasingly prominent role that the United Nations is assuming in mediation activities. Reaffirming our support for the mediation activities of the United Nations, we are of the view that, for those activities to be effective, the following principles must be observed.

First, mediators' in-depth knowledge and understanding of the disputes and conflicts taking place in their own regions and of the parties concerned, including the parties' interests and demands, both legitimate and illegitimate or controversial, put them in a better position to accurately analyse the situation and come up with objective and realistic proposals that may bring the sides together. To that end, regional and subregional organizations and personalities should be allowed and encouraged to participate and contribute. We share the Secretary-General's observation that more attention should be paid to national and local capacity-building with a view to enhancing local actors' mediating skills and abilities.

We commend the assistance extended by the United Nations Mediation Support Unit to the African Union (AU), the Southern African Development Community, the Economic Community of Central African States and the European Union in strengthening their mediation capacities. The United Nation's two-year work plan with the AU to build the latter's mediation capacity is an exemplary tool for such cooperation, which should be further enhanced.

Secondly, coordination between the United Nations and regional and subregional organizations in mediation activities should be ensured with a view to both enhancing effectiveness and avoiding unnecessary duplication, waste of resources, unhealthy competition or rivalry that may negate each other's role and thus hamper the common search for solutions to disputes and conflicts. The history of mediating recent disputes and conflicts in all major continents, from Africa to Asia, America and Europe, further proves that, whenever such coordination exists, success is achieved and vice versa.

Thirdly, mediation efforts should focus on addressing the root causes of conflicts with due attention paid to the need to help the country or countries concerned overcome the conditions of absolute poverty and the lack of socio-economic development that rank high among the root causes of disputes and conflicts. In the view of my delegation, this approach not only helps find appropriate solutions for each specific dispute or conflict, but also avoids its hasty dramatization, which could lead to the unnecessary application of measures of last resort, such as those invoked under Chapter VII of the Charter of the United Nations, which many States Members have pointed to as a cause for concern.

Last but not least, mediation, as a means of peacefully settling disputes, must be in conformity with the fundamental principles of objectivity, fairness, respect for national independence, sovereignty and territorial integrity, and equality in international relations.

As the highest organ of the United Nations entrusted with the primary responsibility of maintaining international peace and security, the Security Council has a vital role in promoting the peaceful settlement of disputes and conflicts, including and especially by means of mediation. The Security Council's active engagement, such as its endorsement of mediators and support for the Secretary-General in dispatching his envoys and mediators to help resolve disputes and conflicts, has highlighted the increasing importance the Council attaches to mediation activities.

Viet Nam supports strongly the consolidation of cooperation and coordination between the Security Council and the Secretary-General, the Secretariat and United Nations missions in carrying out mediation activities to peacefully resolve disputes and conflicts. At the same time, we hold that, to preserve its integrity and ensure that it enjoys the necessary acceptance and support for its activities, the Security Council should avoid unjustified and counterproductive involvement in the work that falls under the purview of the mandates of other United Nations organs, as defined in the Charter.

Mr. Guillermet (Costa Rica) (*spoke in Spanish*): Mr. President, allow me to congratulate you on organizing this open debate. We would also like to thank Mr. Pascoe for having presented the report of the Secretary-General (S/2009/189). The report of the Secretary-General on enhancing mediation and its support activities is an open invitation to a joint discussion that will bear fruit and strengthen the work of the United Nations. We would also like to thank the leadership of Burkina Faso in this area.

Costa Rica has always been a major ally of peaceful dispute settlement processes. Our history has led us to value this dynamic as a factor for peace and stability. We have been witnesses to and actors in peacemaking in our region. In this Organization and in other international and regional forums, we have defended and supported mediation processes and dispute settlement not only as effective mechanisms to resolve conflicts, but also as a preventive way of avoiding them. The importance and value that the international community places on mediation will reflect its commitment to peace and its attachment to stability.

Costa Rica welcomes and fully endorses the report of the Secretary-General. It is a report of very high quality, with robust and specific recommendations that indicate the path to follow. It not only encompasses the lessons learned, but also raises the challenges that we must overcome in order to strengthen the Organization's mediation capacities. Furthermore, it accurately points to important strategic actions for moving forward in strengthening mediation as a valuable dispute settlement instrument in this Organization.

My delegation agrees that no peace agreement endorsed by the Organization can promise amnesty for crimes of genocide, crimes of war, crimes against humanity or serious human rights violations. Neither the United Nations nor the international community can shirk their collective responsibilities. Some people say that when it comes to serious crimes, the intervention of international justice could be considered an obstacle to the mediation process and, to a certain extent, could compromise its results. But can we ignore justice in the name of peace? Would we not be promoting a culture of impunity if we ignored international justice?

My country believes that there is no room for these questions because there can be no sustainable peace in such circumstances. Mediation, the instrument that we are promoting here, complements international justice and does not oppose it.

Local and national capacities are not only directed towards mediation in the conflict, but are also agents that ensure sustainability and contribute significantly to strengthening democratic institutions and the rule of law in post-conflict situations. They are agents of change that become agents of stability. In that respect, cooperation with regional organizations is crucial to having a greater impact and greater effectiveness, and also to taking advantage of the successful experiences at the regional level.

Strengthening the mediation efforts of this Organization is a reliable investment. In that respect, the Organization has made important progress, which Mr. Pascoe has explained in detail. It has developed its structure in response to the request of its Members that it play a more active role in the area of mediation. It has strengthened the Department of Political Affairs by establishing the Mediation Support Unit. But let us look at this situation clearly: devoting sufficient resources to preventive action, early warning and mediation will certainly mean a reduction in the overall financial costs of the Organization.

More important than that, however, is to move away from the simple equation by which we determine that mediation is a more efficient choice in terms of costs. Rather, we should support the human dimension of a timely intervention whereby human lives are saved, human rights are protected, the displacement of populations is avoided and institutions are preserved. The premise must be that we strengthen mediation processes in order to invest more in populations and in their general well-being and not to promote mediation

because it is less expensive than any peacekeeping operation. Without a doubt, we must take those elements into account in the strategic review of peacekeeping activities that this Council will soon undertake.

We endorse and support the measures taken by the Secretary-General in favour of gender equality in mediation teams, in accordance with resolution 1325 (2000), and we believe that it is important to continue to make major efforts in that regard.

Lastly, the basis of mediation is the political will of the parties to reach an agreement. That political will must be reflected in absolute respect for the United Nations Charter and a legitimate and verifiable commitment to the promotion and protection of human rights. Those two elements are the axes on which any mediation process must be based, along with the confidence of the parties, and on which to build a sustainable and lasting peace.

Mr. Gouider (Libyan Arab Jamahiriya) (*spoke in Arabic*): Allow me to extend my sincere thanks to Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs, for his comprehensive briefing on the Secretary-General's report on enhancing mediation and its support activities (S/2009/189). I would also like to extend a warm welcome to all participants in this distinctive session, which is special in terms of its timing and subject matter.

With regard to its timing, this debate is taking place in the context of an agreement on a follow-up to the meeting held last year under the presidency of Burkina Faso and in the light of presidential statement S/PRST/2008/36. We hope that our discussions today will help us move forward and reach a new vision that clarifies the mediation role played by the Security Council.

On the subject matter, I do not need to stress the special importance of mediation as a tool to settle conflicts peacefully, as specified in our Charter since last century. It is incumbent on us to enhance mediation and its support activities as a practical way to settle disputes. We should focus on positive ideas that promote dialogue and help avert the deterioration of any conflict through agreements between the parties that would end conflicts and strengthen and promote peace.

We support mediation as a peacemaking tool, as we believe it to be the most cost-effective instrument to settle conflicts on the African continent. Mediation takes into account all the important factors of the various conflicts and can play a significant role in addressing them, following the cold war and with the renewed interest in conciliatory agreements. Mediation inherently promotes a careful analysis or reconsideration of positions in a way that promotes all efforts for the ultimate peaceful settlement of conflicts.

We believe that the maintenance of international peace and security requires serious initiatives that enhance mediation and its support activities, particularly in Africa. That enhancement should not be limited to the neutrality and skills of the mediator and his or her experience, but should include an in-depth knowledge of the geography, history and culture of Africa and the root causes of the conflicts there. We believe that the African Union is the natural body to assume that task, and that it is capable of achieving effective mediation with genuine and full international support and partnership.

Nevertheless, allow me to clearly state that we have still not fulfilled our commitments. My country's experience in the mediation efforts in many African conflicts, as a member and Chairman of the African Union, has highlighted the continuing need for a new international vision for mediation and the Security Council's role in it that does not ignore the root causes of conflicts because of pressures and that effectively prioritizes the tools provided for in Chapters VI and VIII of the Charter over those of Chapter VII. It has shown the need for a vision that provides the tools to address conflicts before, not after, they deteriorate; that is based on lessons learned in supporting preventive diplomacy in Africa that strengthens the African Union and its partnerships and institutions; and that enables the Secretariat and the Mediation Support Unit to provide the necessary momentum for that dynamic union. In that way, we could put an end to ongoing human tragedies and support the international system by upholding the authority and credibility of the Security Council as a guarantor of international peace and security.

Finally, we support the Secretary-General's recommendations in their entirety and the statement to be made by the representative of Cuba on behalf of the Non-Aligned Movement. We express our hope once again that our deliberations will go beyond mere

support for recommendations and will be a practical step towards planned and organized measures.

I would like to thank the delegation of Burkina Faso for preparing the draft presidential statement, which we fully support, and we look forward to its adoption at the end of our debate.

Mr. Mayr-Harting (Austria): Austria associates itself with the statement to be delivered by the representative of the Czech Republic on behalf of the European Union later in this meeting. We would also in particular like to thank Under-Secretary-General Pascoe for his substantive and very comprehensive briefing.

We are confronted with a large number of crises and new global dangers with a potential to ignite fully fledged conflicts posing threats to international peace and security. The complexity of the issues at stake and the involvement of a wide range of actors underscore the need to make use of the entire toolbox available to the United Nations and the international community. In recent years, the United Nations has conducted and supported a series of successful mediation efforts — for instance in Kenya — but Under-Secretary-General Pascoe has provided us today with an impressive complete list of the various efforts of the United Nations in this field.

Mediation should be one of the first instruments that we resort to because it has proven to be an effective tool at all stages of the conflict cycle. Disputes can, of course, best be resolved through interventions at an early stage. If such interventions are successful, we can reconcile potential adversaries before a crisis erupts.

As the ongoing discussions on the reform of United Nations peacekeeping have shown, we are confronted with a growing shortage of human and financial resources. In this situation, the added value of conflict prevention and resolution through mediation becomes ever more apparent. The Secretary-General's report (S/2009/189) therefore rightly underlines the comparative advantage of mediation in terms of cost-effectiveness, as opposed to large-scale conflict intervention and post-conflict reconstruction.

As the Under-Secretary-General's briefing has shown, successful mediation efforts must go hand in hand with other crisis prevention and crisis management activities, in particular peacekeeping and peacebuilding. We therefore support the Secretary-General's recommendation to make mediation, facilitation and dialogue expertise available to United Nations field presences. It is clear that successful mediation efforts will normally result in compromise solutions that balance the interests of former adversaries. That having been said, mediators must nonetheless make sure that the principles of the rule of law and the needs of transitional justice are respected.

Resolutions 1325 (2000) and 1820 (2008) urge Member States and the Secretary-General to ensure increased representation of women at all levels of conflict resolution and peace processes. Yet an analysis by the United Nations Development Fund for Women shows that, in 13 major comprehensive peace processes since 2000, not one single woman has been appointed chief mediator. We hope to see more appointments of women in the future. For that to happen, it is of course clear that we, the Member States, must ourselves nominate more female candidates for such positions. Also, all mediators need to have adequate expertise in dealing with gender issues as part of their mandate. In order to achieve sustainable peace, we must ensure the availability of adequate resources for gender mediation expertise in all peace efforts.

Any effective mediator needs to be supported by the right team, with expertise and thorough knowledge of the particular situation. We commend the excellent role that the Mediation Support Unit (MSU) and the newly established standby team have played over the past year in preparing and supporting an increasing number of mediation processes. We would like to see further consolidation of the MSU's capacities. Equipping the United Nations with adequate funds and human resources remains a prerequisite for successful dispute settlement, since the right timing, readiness and quick deployment of mediation teams are crucial.

We fully support efforts to intensify cooperation with regional and subregional organizations, and note in particular the positive role that organizations such as the African Union, the Economic Community of West African States and the Southern Africa Development Community are playing in this respect. Regional organizations in many instances have the advantage of being well acquainted with local and regional dynamics, but in some cases it must also be said that proximity and long-standing involvement can work to the detriment of potential mediators because they are not seen to be impartial and are therefore not

acceptable to the conflict parties. Depending on circumstances, the European Union therefore contributes to mediation processes either as an actor or indirectly as a supporter to third-party mediation efforts.

Mediation also creates local capacity in the target countries, thereby contributing to sustainable and locally owned conflict settlement. The United Nations should strive to strengthen operational partnerships with regional and subregional arrangements and offer support to mediation partners through the MSU.

Small and medium-sized States without vested interests in particular conflicts in a region can play a positive role. Austria, as a neutral country, has a long-standing tradition of offering and hosting good offices. In this context, let me also underline the potential of non-governmental organizations and pay tribute to the work of such institutions as Sant'Egidio in Italy or Burg Schlaining in Austria.

In conclusion, let me thank Under-Secretary-General Lynn Pascoe once again for his interesting presentation. We also highly appreciate the efforts of Burkina Faso in promoting the issue of mediation and the settlement of disputes in the Council, and fully support the presidential statement to be adopted later today. We look forward to future discussions on this important matter.

Mr. La Yifan (China) (*spoke in Chinese*): The Chinese delegation would like to thank you, Sir, for convening this important open debate. We should also like to thank Under-Secretary-General Lynn Pascoe for his briefing.

In today's world, the nature of conflicts and disputes is undergoing profound changes. Traditional inter-State conflicts are evolving into hybrids of inter-State/intra-State conflicts, and the causes of disputes are becoming increasingly complex and involve various factors such as history, territory, religion and tribe. Experience has demonstrated time and again that if we are unable to take reasonable and legitimate action at an early stage in a crisis to seek a peaceful settlement via mediation, we will have to spend considerably more time and energy after a crisis breaks out coping with the consequences of its expansion. Therefore, the peaceful settlement of disputes is an investment in the future of mankind and will certainly reap abundant peace dividends.

The peaceful settlement of disputes is one of the fundamental principles of the United Nations, and the Charter has provided theoretical guidance and bases for action in mediation and dispute settlement. As the most authoritative and representative international organization in the world, the United Nations has every reason to play a central role in mediation and dispute settlement. We appreciate the positive role played by the United Nations in settling hotspot issues in relevant areas, and expect the Organization to further enhance its mediation capacity and improve its mediation expertise so as to play a bigger role in the peaceful settlement of disputes.

Strengthening the United Nations mediation and dispute settlement capacity requires full respect for the will of the parties concerned. The parties to a dispute are stakeholders in the settlement of the conflict, and only when they display full political will can United Nations mediation produce results. If the parties concerned explicitly reject United Nations mediation, the Organization will have neither the possibility nor the grounds to become involved. The United Nations should therefore try to obtain the cooperation of the parties concerned and keep the channels of communication open so as to lay a sound foundation for mediation.

On the other hand, mediation is a protracted process with inevitable setbacks and fluctuations. The international community should speak with one voice when the United Nations is engaged in mediation to support the Organization's efforts and maintain its input after a peace agreement is reached so that the results of mediation can be further consolidated.

Strengthening the United Nations mediation and dispute settlement capacity requires it to facilitate mutual understanding and accommodation between the parties concerned while maintaining neutrality and impartiality. Neutrality and impartiality are the bases of mediation, and the designation of an appropriate mediator is the key to the success of mediation. Mediation should be an inclusive process in which the mediator hears the views of all sides, has an accurate understanding of differing views and accommodates various concerns in a balanced manner. Mediation should also be a progressive process in which the mediator should have full understanding of the background of the issue, effectively coordinate relations among all parties, maintain patience and confidence, keep strict confidentiality and a low

profile, focus on facilitation and avoid assuming the responsibilities of the parties. Mediation should result in a win-win situation. The mediator should try to make the parties concerned realize that there is no such thing as a winner-takes-all solution and that it is only through flexibility and compromise that they can achieve reconciliation and a win-win outcome.

Strengthening the mediation and dispute settlement capacity of the United Nations requires addressing the question of impunity on the basis of building durable peace. Ending impunity and ensuring fairness and justice are prerequisites for upholding the good and punishing the evil. Peace can be secure only when it is based on fairness and justice. In that respect, the State concerned should play the leading role. At the same time, it is hard to truly put an end to impunity without a peaceful and stable environment. When dealing with impunity, it is necessary to take into full consideration the overall interests of peace and stability.

Strengthening the mediation and dispute settlement capacity of the United Nations requires full use of the advantages of cooperative partnership on the basis of mobilizing all relevant mechanisms of the United Nations. In its mediation efforts the United Nations should rely on the strength of its moral force and its neutrality and should work in all dimensions and at multiple levels. In this connection, it is necessary to take advantage of both the expertise of the Mediation Support Unit and the conven offered by field agencies such as peacekeeping missions. It is necessary both to engage in shuttle diplomacy and to employ the Secretary-General's good offices in order to make best use of the Organization's advantages in resources to cultivate local mediation capacities.

Strengthening the mediation capacity of the United Nations is a strategic undertaking which should be provided with adequate resources. At the same time, the United Nations should also pay attention to cooperating with the mediation efforts of its partners and should actively provide them with political, human and logistical support when necessary.

The purpose of strengthening the mediation and dispute settlement capacity of the United Nations is not to take on all the disputes of the world. We take note of the unique and important role of relevant regional organizations in settling disputes in their respective regions. China always stands for the settlement of disputes through peaceful dialogue, and we support a greater role for the United Nations and regional organizations such as the African Union in providing mediation and good offices for dispute and conflict settlement. We will continue to work with all others in making energetic efforts towards that end.

Sir John Sawers (United Kingdom): I thank you, Mr. President, for organizing this debate, which is timely. We are grateful to Burkina Faso for championing this issue in the Council and to Mr. Pascoe and his team for today's briefing.

The Secretary-General's report (S/2009/189) and today's debate provide an opportunity to put the spotlight on what can be done to ensure that the mediation efforts of the international community — and especially of the United Nations — are more effective in helping to resolve conflict. It is important. The failure to generate durable peace agreements will lead to the continued scourge of conflict, which both the countries concerned and their neighbours can ill afford.

The international community's recent record in supporting mediation efforts has been mixed. We have seen some clear successes, such as Kofi Annan's leadership of the international community's efforts in Kenya and President Obasanjo's engagement in the eastern Democratic Republic of the Congo. Mr. Pascoe rightly highlighted Special Representative Ould Abdallah's work to bring the political process in Somalia to a more positive stage, and President Campaore has played an important personal role in Togo and Côte d'Ivoire.

But as the Secretary-General's report makes clear, there is much more that the United Nations can and should be doing, and we support that conclusion. The report's emphasis on early mediation is critical. Every effort needs to be made to put an early stop to an emerging crisis before it can develop into conflict and humanitarian emergency which places further strain on already limited peacekeeping resources.

We therefore see it as an important and positive development that we are now seeing proper investment in United Nations mediation capacities. We welcome the General Assembly's decision to enhance the capacity in mediation of the Department of Political Affairs as part of strengthening its overall preventive diplomacy effort. With these new resources, we shall of course be looking for improved performance from

Mr. Pascoe's department and the United Nations as a whole. We welcome specifically the establishment of the Mediation Support Unit and the assistance it has provided the United Nations and other mediation efforts. We appreciate the need for flexible resources, including for the early startup of mediation activities.

But it is not just a question of resources. The report provides some useful principles for successful mediation. We need to ensure that every effort is made and every opportunity taken to improve the speed and effectiveness of mediation efforts. We need to ask a number of questions: Are the right mechanisms in place? Can we trigger the early launch of mediation efforts? Can we determine who is best placed to lead a mediation effort? And can we ensure that other actors support the person in the lead?

My colleagues have talked about the need for increased numbers of women to be involved in mediation. The statistics in the report about their under-representation are striking, and we need to work much harder to ensure the full involvement of women, and of civil society generally. This is particularly important for conflict situations that have been characterized by widespread sexual violence, and the United Kingdom looks forward to further discussion of this issue in the context of the Secretary-General's reports on peacebuilding and on women and peace and security.

Mediation cannot be conducted in a vacuum. Mediation capacity must be a core part of any institutional architecture to address conflict, and we need to ensure that the right links are made between mediators and those engaged in the planning and implementation of peace agreements.

In taking forward the report's recommendations, as Mr. Pascoe noted, the Secretariat will also need to take account of the conclusions of the forthcoming reports of the Secretary-General on peacebuilding and early recovery, which we hope will be comprehensive and ambitious. They will also need to take account of the work being undertaken for a more rigorous and strategic approach to peacekeeping.

With that in mind, we support the overall effort and this debate, and we support the conclusions set out in the draft presidential statement.

Ms. DiCarlo (United States of America): I would like to thank you, Mr. President, for organizing this important debate. It will serve as a useful follow-up to a related meeting organized by the delegation of Burkina Faso last September (see S/PV.5979). I would also like to thank the Secretary-General for his report (S/2009/189) and for his commitment to strengthening United Nations capacity to resolve conflicts peacefully. My delegation appreciates Under-Secretary-General Pascoe's comments today and congratulations him on the mediation efforts of the Department of Political Affairs.

Of all the principles in the United Nations Charter, the peaceful settlement of disputes is among the most powerful. We all know the human and material toll of armed conflict. When countries are looking for ways to resolve their differences without violence, the international community bears a responsibility to support them. We also know that United Nations mediation and good offices missions have played a crucial role in ending many conflicts during the past 20 years. From these experiences we have learned a great deal about how to make mediation effective and its results enduring.

For its part, the United States is steering a course that puts a new premium on energetic diplomacy to resolve some of the toughest issues we face. President Obama has spoken of a new era of engagement, and we are serious about listening to and speaking frankly with those with whom we have substantive differences. We have also named special envoys to lead our efforts to help resolve crises across the globe.

We welcome this debate today as an opportunity to look closely at ways in which the United Nations can better do its part to provide good offices and mediation. In this regard, we welcome the strengthening of the Department of Political Affairs, including the creation of its mediation support standby team, which can become one of the most effective tools of the United Nations for early response to crises.

We also need to recognize and build into our plans the reality that the need for mediation rarely ends with a peace agreement or on the day that the Security Council establishes a United Nations mission. Rather, we should work to ensure that mediation capabilities are built into United Nations peacekeeping and peacebuilding operations.

In his report, the Secretary-General has raised the issue of the pursuit of peace and justice. He rightly states that, when conflicts lead to gross violations of

human rights and international humanitarian law, peace and justice are indivisible.

Let me also offer a word on the role of women. The United States stands firmly committed to resolution 1325 (2000) and 1820 (2008), which stress the need for the active involvement of women in efforts to promote peace and security. We support the call of those resolutions to give women a larger decision-making role in conflict resolution. Mediation efforts that exclude women's perspectives and deny them a seat at the table are likely to neglect issues that are vital to securing lasting peace. My Government also welcomes the Secretary-General's commitment to increase the number of women among the special representatives and envoys who pursue good offices on his behalf.

There are times when the United Nations will be in the best position to lead third-party efforts to support resolution of disputes. In some situations, other actors may be better suited, and we need to support the mediation capabilities of other institutions or members of the international community in this regard.

Regional organizations are particularly important actors in mediation, as we are reminded by Chapter VIII of the Charter. Regional bodies are often more familiar with issues in their regions and able to deploy resources more quickly. We encourage the United Nations to continue to partner with regional organizations and other actors to seek timely and successful resolution of conflicts. We also need to work to develop national and local mediation capacities, since disputes are often most productively resolved at that level.

Smart, principled and skilful mediation can reduce threats to peace and security, but all parties to the conflict must participate in good faith to achieve a truly lasting settlement. The Council has many tools at its disposal to deal with spoilers, and we need to work diligently to deploy them to greatest effect when they are needed to resolve crises and support peace processes.

The United States will continue to be an advocate of peaceful means of conflict resolution. We know that mediation is never easy, but we must work together to bring the conflicts and crises that trouble us all to a swift and durable resolution. My delegation also supports the statement prepared by the delegation of Burkina Faso and thanks them for that initiative.

Mr. Mugoya (Uganda): I wish to start by thanking you, Mr. President, for organizing this open debate on the mediation and settlement of disputes. It is an important follow-up to the high-level meeting on mediation and settlement of disputes in September last year (*see S/PV.5979*) during the presidency of Burkina Faso, which reaffirmed the role of the United Nations in mediation efforts. Therefore I wish to thank the Under-Secretary-General for Political Affairs, Mr. Pascoe, for presenting the Secretary-General's report on enhancing mediation and its support activities.

We commend the United Nations for the role it has played over the years in helping to mediate inter- and intra-State conflicts around the world. We have noted from the report the challenges that confront the United Nations and its partners in providing effective mediation assistance to parties in the various conflicts.

Uganda considers mediation to be an important aspect of dispute settlement efforts, one that can and should be used at different phases of the conflict. We see mediation as a broad process that supplements other processes of conflict management. But its effectiveness in dispute settlement requires an understanding of how mediation works, the factors that influence it and how best to utilize it.

It is regrettable that, despite its proven value in the prevention, management and resolution of conflicts, mediation has continued to receive remarkably little attention or support. We have heard that the ability of the United Nations to carry out mediation has been severely hampered by the lack of adequate, dedicated human and financial resources. The Secretary-General's report puts it very clear, saying that

> "efforts have been concentrated on the more costly tasks of dealing with the shattered remnants of devastated lives, communities and institutions of State, while the daunting challenge of reconstruction has absorbed resources that could have gone into early dispute resolution" (S/2009/189, para. 8).

It is therefore imperative that mediation efforts be properly resourced. Early mediation in a preventive context can, if successful, obviate the need for peacekeeping missions. More effective mediation at the peacekeeping stage could result in peace agreements that are more implementable. Robust mediation

capacity during implementation could lead to more rapid and efficient consolidation of peace.

Despite the remarkable efforts by the United Nations in mediation, as the Secretary-General rightly states in his report, the United Nations does not have a monopoly on mediation. Regional and subregional arrangements have played an important role over the years, as we have seen in Africa in particular. We welcome the efforts by the Secretary-General in working more closely with regional and subregional partners. We are convinced that a regional approach in which the challenges are dealt with in a focused and more coordinated way, such as in the International Conference on the Great Lakes Region, concerning Burundi, is very useful.

Experience has shown that for mediation to succeed it must be guided by a knowledgeable lead actor. There is no doubt that there should be careful consideration in identifying a suitable lead player in any mediation effort. The complexity of conflicts requires that mediators have a thorough understanding of local history, politics, cultures and personalities before assuming any substantive role. Furthermore, they should have the perseverance to work with the parties and the patience to refrain from rushing the process. An important lesson from recent mediation experiences is that at critical points it is necessary to have a mediator who can deal with the main protagonists at the top, to minimize the influence of entrenched and hard-line interests.

Furthermore, every effort should be made to avoid duplication of mediation efforts. Multiple leadership leads to fragmented responses, reinforcing fragmentation in the conflict, and complicates resolution of any dispute.

Mediators require support teams. We welcome the establishment of a Mediation Support Unit in the Department of Political Affairs to support the mediation efforts of relevant United Nations departments and of the Organization's partners, such as regional and subregional organizations, as well as of Member States. We support the role of the Mediation Support Unit and call for a more sustainable funding arrangement to support its activities. We are convinced that this Unit will further enhance the partnership arrangements envisaged between the United Nations and regional organizations.

Early warning mechanisms are crucial in the prevention of conflict and mediation. However, the challenge is how to transform the information obtained into a viable response that, by facilitating mediation, can prevent escalation. An effective early warning network should be linked at the national, regional and global levels. This is where the resource-mobilization capacity of the United Nations is key in facilitating the establishment of an early warning system that provides vital input for mediation and early action mechanisms.

Finally, if properly utilized, mediation can do more than merely achieve a settlement of the conflict; it can also facilitate in the long run the full transformation of relations between and within States. In that regard the Security Council has an important role to play in support of mediation efforts. It is therefore our expectation that this debate will generate greater international support for the Secretary-General's efforts in mediation. We also thank the delegation of Burkina Faso for the draft presidential statement, which we fully support.

Mr. Vilović (Croatia): Allow me to begin by thanking you, Mr. President, for organizing this debate and by thanking the Under-Secretary-General, Mr. Pascoe, for introducing the Secretary-General's report, which focused our attention on one aspect of the Council's activity that, while frequently present in our discussions, has thus far received relatively little attention on its own merits.

Croatia believes this is a topic that deserves the attention of the Security Council, to be approached in a coherent and coordinated manner. We are grateful for the Secretary-General's report, which extensively examines the challenges facing the United Nations and its partners in providing mediation services in both inter- and intra-State conflicts at all stages of the conflict cycle.

While we align ourselves with the statement of the European Union to be delivered later, permit me to add some further remarks.

As the report notes, the peaceful settlement of disputes should be seen as one facet of the sovereign responsibility of States. Mediation has rightly been recognized as an efficient and strikingly cost-effective tool that the Security Council has at its disposal in addressing threats to international peace and security. As it is often political issues that lie at the heart of crises, the importance of early engagement in

preventive diplomacy — including mediation — is even more significant during this period, in which United Nations-mandated peacekeeping operations have experienced unprecedented demand and strain.

We should not forget that Chapter VI of the Charter of the United Nations offers an array of other tools for the peaceful settlement of disputes, namely negotiation, enquiry, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of the parties' choice. Since every dispute is different, a differentiated, flexible and tailor-made approach is preferable.

As a politically oriented tool, mediation has a strategic place in conflict prevention and resolution. However, that does not diminish the value of other instruments, which should be used judiciously, sometimes in combination with one another, and in a manner that respects the wider normative standards of the United Nations and promotes the international rule of law.

The report highlights a number of factors that determine the success of mediation, from deciding on the timing, selecting the right mediator and lead actor, defining the structure of the mediation and identifying all relevant interlocutors to issues of gender balance, managing the spoilers and monitoring the implementation of the negotiated outcome. All those factors need to be taken into account and, often, cultivated at the system-wide level.

Croatia supports the Secretary-General's recommendations aimed at capacity-building and addressing the inadequacies that have been identified regarding the ability of the United Nations to carry out mediation. The establishment of the Mediation Support Unit within the Department of Political Affairs (DPA), in response to a growing demand for United Nations mediation services, should be the platform on which we are building in developing capacity at the national, regional and United Nations levels and in professionalizing mediation support.

When addressing the role of the Security Council in that context, we should focus on enhancing coordination and the strategic leadership of the Council, particularly in situations involving a multiplicity of actors and mediation issues. The Security Council has unique leverage derived from its international legitimacy and moral authority, which should be used prudently. The Council is often critically placed to respond during the decisive — and usually very short — window of opportunity before a dispute escalates into conflict. It is well placed to address failures in implementation and the problem of spoilers.

That being said, we should acknowledge that, while they are certainly well placed, neither the Council nor the United Nations has a monopoly on mediation. That is why coordination and complementarity of efforts are crucial, both at the system-wide level and in the context of cooperation with regional and subregional organizations. Ultimately, the responsibility for the peaceful settlement of disputes lies with the parties. That is why building national and local capacity is crucial and should be adequately reflected in the mandates defined by the Security Council.

Finally, at all times, we should remain mindful of the fact that the very nature of mediation is such that it commands a degree of discretion and flexibility. A successful mediation process should be able to strike the right balance between public and quiet diplomacy.

We believe that the draft text of the presidential statement we are to adopt today reflects the main messages of this debate, and it has our support. In that respect, let me express our gratitude to the delegation of Burkina Faso for the efforts made in its preparation. We see efforts to enhance mediation and its support activities as part and parcel of the wider effort to strengthen the ability of the United Nations to play its role to the fullest extent in conflict prevention, peacemaking, peacekeeping and peacebuilding, in an integrated and coherent manner.

Mr. Tiendrébéogo (Burkina Faso) (*spoke in French*): I should like to thank Mr. Lynn Pascoe for having presented the report of the Secretary-General on enhancing mediation and its support activities (S/2009/189). We are grateful to the Secretary-General for having submitted the report, whose main recommendations we support.

My delegation, which associates itself with the statement to be made by the representative of Cuba on behalf of the Non-Aligned Movement, is pleased to be able to participate in this debate, which continues the fruitful exchanges that took place in the Security Council on 23 September 2008 (see S/PV.5979) under the leadership of President Blaise Compaore. He presented Burkina Faso's views on the conditions

necessary for successful mediation, which must include resolving the deep-seated causes of conflict if we are to hope to produce lasting results.

In taking the initiative to organize a high-level Security Council meeting on this issue, my delegation intended, in addition to expressing the importance that Burkina Faso attaches to the quest for peaceful solutions to conflicts, to encourage experience-sharing in the specific area of mediation. That is why we are grateful to you, Mr. President, for having agreed to organize today's public debate, which enables all United Nations Member States to take part in these exchanges.

The obligation of States to resolve their disputes by peaceful means is stipulated in the Charter of the United Nations. Among the techniques provided for in Article 33, mediation has proved to be one of the most effective, cost-effective and, what is more, fruitful in terms of peace and development. The report of the Secretary-General (S/2009/189), which well describes the Organization's activities in that regard, offers still further proof that mediation has always been at the heart of United Nations activities.

We are all familiar with the Secretary-General's good-offices and mediation missions, whose number and scale have grown continuously in response to the increase in the number of conflicts and, in particular, to their increasing complexity. Thus, the question today is not whether that role is necessary or useful, but rather how to further build the capacities of the Secretariat, in particular the Mediation Support Unit, which is increasingly being called upon but which is equipped with limited resources.

As the principal organ entrusted with primary responsibility for the maintenance of international peace and security, the Security Council has a natural role in promoting the peaceful settlement of disputes, including through mediation, and in supporting all relevant and related initiatives. What better way to guarantee peace and security than to prevent conflicts, to prevent nascent hotspots of tension from turning into violent conflicts or, when conflicts erupt — regrettably and despite all efforts — to help contain and extinguish them as swiftly as possible, if not once and for all, at least for the long term?

In other words, just like crisis management, mediation poses the problem of prevention. Strengthening our prevention efforts by, inter alia, combating weapons proliferation and strengthening social cohesion and political and economic governance within States helps us to better anticipate crisis situations. A certain balance should therefore be established among the Council's functions — all the more so because the success of mediation initiatives offers one of the most complete and concrete responses to the issue of peacekeeping operations, which are increasingly costly. We thus call on the Security Council to explore ways and means to further strengthen its own role in that area, including with regard to the problem of sanctions.

One cannot stress enough the importance of the contributions of regional and subregional organizations, given their knowledge of the actors and the stakes involved in conflicts, as well as of the realities on the ground. It is essential that useful measures be taken to support their efforts and strengthen their capacities.

In Africa, the Constitutive Act of the African Union enshrines the principles of the peaceful settlement of disputes and the non-use of force. In line with those principles, the African Union has always been present from the very onset of crises affecting some member States, thus averting the deterioration of those crises into open and violent conflicts, or supporting the parties in resolving the crises. Burkina Faso welcomes the cooperation between the African Union and the United Nations and hopes to see it strengthened in the future.

The Economic Community of West African States has institutionalized the practice of mediation through the setting up of a Mediation and Security Council and a Council of Elders in the framework of its Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security.

Because States are and always will be at the front line of conflicts and efforts to resolve them, they must strengthen their mediation capacities. Convinced of the virtues of dialogue and cooperation, Burkina Faso has placed the promotion of mediation and the peaceful settlement of disputes at the heart of its diplomacy, which has enabled it, through the decisive action of President Blaise Compaore, to accompany certain brotherly States on the path to peace and reconciliation on the basis of the philosophy of national ownership by actors, regional leadership and international support.

With respect to the number and diversity of mediators, my delegation deems it timely to stress the necessity of strengthening cooperation and coordination. The need for cooperation, coordination and consistent action speaks to the need to create joint databases, decentralize coordination centres and draft joint practices and approaches.

Finally, my country shares the concerns of the Secretary-General on the dearth of women mediators, as well as the low level of their involvement in technical mediation teams. My delegation reiterates Council's appeal to the Secretary-General, the heads of regional and subregional organizations and the heads of other organizations to take urgent steps to remedy that state of affairs.

In conclusion, my delegation thanks all delegations for their support of the draft presidential statement that we initiated and hope to see adopted at the end of our discussion.

Mr. Lacroix (France) (*spoke in French*): I wish to begin by thanking Under-Secretary-General Lynn Pascoe for his introduction of the report of the Secretary-General (S/2009/189). I also wish to thank you, Sir, for having organized this debate in order to follow up on the initiative of Burkina Faso in organizing an initial discussion in the Security Council last September on the topic of the maintenance of international peace and security, mediation and the settlement of disputes.

My delegation fully aligns itself with the statement to be delivered by the representative of the Czech Republic on behalf of the European Union. Mediation is an extremely important tool available to the international community for conflict prevention and management. It bears repeating that successful mediation has often interrupted or even averted tragedy, and public opinion tends too often to forget that fact.

From its inception, the United Nations has played a crucial role in that area and must continue to do so, as the Secretary-General has done by dispatching President Obasanjo to facilitate the dialogue between the heads of State of the Great Lakes region on the one hand, and between the Kivu armed groups and the Congolese Government, on the other. Mediation was also apparent in the case of Madagascar, where the Secretary-General began by sending Mr. Haile Menkerios and then appointed a special political adviser, Mr. Tiébilé Dramé, whose efforts to promote a return to constitutional order in that country should continue. There are, of course, many other examples, and I wish to reiterate France's support for the efforts of Mr. Vijay Nambiar in Sri Lanka. My delegation hopes that the Council will hear from him soon.

I wish to make one comment on the subject at hand. The idea of mediation makes perfect sense in the context of inter-State conflict or well-identified parties. A broadened range of threats to international peace and security — I refer in particular to terrorism, organized crime and other such examples — makes the exercise even more complex and fully warrants taking the time to discuss the matter within the Council.

In his report, the Secretary-General draws certain lessons that reveal the expertise required for successful mediation, as well as the organizational aspects that concern the Security Council first and foremost. In particular, my delegation is referring to the coordination and consistency of initiatives. The United Nations has the authority and legitimacy to address that issue, be it through mediation efforts or to support those undertaken by others in order best to ensure success.

From that point of view, there is a paradox in hearing certain States invoke non-interference when the Council could intervene before a crisis leads to violence, and thus before the situation calls for a more robust intervention on the part of the Council. We have seen that in recent years and again lately.

Another important lesson is the need to act quickly. That is crucial. The recommendations of the Secretary-General, which seek to improve the ability of the United Nations in supporting rapid intervention, are apt and should be supported. In particular, my delegation welcomes the establishment and strengthening of the Mediation Support Unit, which has already proven to be a useful instrument to support good offices missions and the mediation efforts of the United Nations and regional organizations.

Support for peace processes also involves targeted and resolute action against those who would threaten to derail those processes. Council action in that area must be flexible and reactive; I am thinking in particular of the inclusion in resolution 1844 (2008) on Somalia of provisions on individual sanctions against

"[entities] that threaten the peace, security or stability of Somalia, including acts that threaten the Djibouti Agreement" (*resolution 1844 (2008), para. 8 (a)*).

In conclusion, I wish to stress that the strategy for implementing peace agreements must be outlined early and be sufficiently inclusive. It is therefore crucial to include all of the stakeholders in the process, as much as possible. Here, the role of regional organizations must be emphasized, including the African Union, the European Union and the Organization for Security and Cooperation in Europe, all mentioned by Mr. Pascoe. Those organizations have shown in the past their true ability to act in close coordination with the United Nations, and the Security Council in particular, in order to promote political solutions that have averted tragedy. We must also not forget the important role played by civil society actors, non-governmental organizations, civil society groups, and women.

My delegation welcomes the Secretary-General's intention to strengthen the recruitment of women for mediation activities. Furthermore, the United Nations mediation and conflict prevention activities and capacities should be strengthened in coordination with the discussions under way on post-conflict action, peacebuilding and, of course, improved peacekeeping. Mediation, when it can implement true political process or cooperation, is also a means of reducing the burden of peacekeeping or of laying the foundation's for the deployment of an operation or of a peacebuilding and state-building strategy.

Mr. Takasu (Japan): First of all, I would like to thank you, Sir, for organizing an open debate on this important subject. I would also like to express gratitude to the Secretary-General for his report (S/2009/189) and my appreciation to Under-Secretary-General Pascoe for his assessment on what has been learned from past experiences.

The peaceful settlement of disputes is a core function of the United Nations in maintaining peace and security. In accordance with Chapter VI of the Charter, the parties to any dispute and the Security Council are obliged to seek a solution through peaceful means such as negotiation and mediation. The Secretary-General also has a special role under the Charter in promoting the peaceful settlement of disputes.

Mediation should play a more important role in promoting peace in a cost-effective manner. That is especially true as the financial and human resources of conflict management and peace operations have grown to an unprecedented level. We need to place a higher priority and focus on mediation activities in the United Nations.

In the history of United Nations mediation, some cases — such as El Salvador, Guatemala, Namibia, Cambodia, Mozambique and many others — were more successful than other cases. From those experiences, we may point out that United Nations mediation is more effective when it is matched with joint efforts by the various stakeholders. The modality of mediation needs to be adapted to each circumstance. The level and type of United Nations engagement vary from playing a lead role in some places to supporting the efforts of other parties. It is important, however, to coordinate and ensure the coherence of mediation efforts by various actors. The United Nations should strengthen partnerships with lead countries, groups of stakeholders such as international contact groups, regional and subregional organizations and, in some cases, non-governmental actors.

United Nations mediation activity has a comparative advantage in terms of its legitimacy, impartiality and convening power. The United Nations should focus on the following areas, based on its rich experience and the diverse tools at its disposal, ranging from the provision of security to humanitarian and recovery assistance.

First, in terms of the provision of appropriate support to mediators, the United Nations needs to provide professional, technical, administrative and logistical support to all kinds of mediation efforts by different actors, including the United Nations itself, of course, but also regional and subregional organizations.

Secondly, in terms of the development of future mediators, the United Nations should help develop the next generation of mediators at all levels within and outside of the United Nations. We fully agree with the Secretary-General that the generation change now under way and qualified senior mediators and their experienced support teams are key to successful mediation. We support the serious efforts that are needed to train and build United Nations mediation capacities.

Thirdly, in terms of comprehensive engagement after peace agreements, the United Nations needs to provide comprehensive and integrated conflict resolution support by making full use of field offices and the United Nations funds and agencies throughout countries.

We are mindful that mediation is by no means a simple task, but we hope that the United Nations will continue to make the utmost effort to strengthen this activity. In particular, I would like to emphasize three key questions that the United Nations could address in pursuit of successful mediation in the coming weeks.

First, in order to lay a solid foundation for durable peace after a peace agreement is signed, we should examine in depth how social and economic stability aspects and peacebuilding aspects can be incorporated from the beginning of mediation and conflict resolution processes.

Secondly, in view of the centrality of the political process in post-conflict situations, it is essential to continue active mediation activity throughout the implementation of a peace agreement and the peace consolidation process. To this end, we need to clarify the role of United Nations field missions and representatives of the Secretary-General and their required conditions and capacities.

Thirdly and lastly, in situations of intra-State conflicts, the United Nations has been relatively successful. What will be an effective and realistic role for the United Nations in supporting mediation efforts involving non-State actors?

In conclusion, I would like to thank Burkina Faso for its initiative, and we would like to express our support for the presidential statement. I would also like to stress how important it is for the Secretary-General to pursue active mediation efforts and to keep the Council informed of his activities. We believe that it would be useful for the Council to conduct periodic reviews of the progress in this area.

Mr. İlkin (Turkey): First, I wish to thank the presidency for convening this open debate on an issue of great importance to the United Nations and the Member States. Indeed, conflict prevention and crisis management through mediation are one of the founding principles of the United Nations, and we cannot overemphasize its significance to our work in the Council. We therefore welcome the opportunity to engage in such a comprehensive debate on this issue.

Secondly, I would like to thank the Secretary-General and the Mediation Support Unit for their diligent work in preparing the report before us today (S/2009/189). I also express my thanks to Under-Secretary-General Pascoe for his concise presentation highlighting the important elements of the report and paving the way for an enlightened discussion today.

Last but not least, I would like to express our deep appreciation to the Permanent Mission of Burkina Faso for bringing this issue under closer scrutiny back in September last year, during its presidency of the Council.

The report before us today touches upon almost every single element pertaining to the importance of mediation and what needs to be done to further streamline our activities in this particular area. Therefore, I am not going to repeat those points one by one. Suffice it to say that successful mediation is by far the most efficient and cost-effective means for the peaceful settlement of disputes and that more time, effort and resources ought to be devoted to such endeavours.

In this regard, there is no doubt that the United Nations has a special role to play in leading these efforts. On most occasions, United Nations engagement in itself lends credibility and legitimacy to mediation processes. Moreover, the body of work developed by the United Nations in any particular conflict often provides the best starting point, as is the case with the situation in Cyprus. Thus, we need to do everything possible to further enhance the professional mediation capacity of this Organization. The Secretary-General's report contains useful recommendations to this end. As one of the leading contributors to the Mediation Support Unit, Turkey is committed to playing an active part in this exercise.

That said, in today's world of multifaceted challenges to peace and stability, which involve a great number of different actors and dynamics, the United Nations cannot always be expected to fulfil this role alone. Regional organizations, individual Member States and even non-governmental entities have important and at times leading contributions to make, depending on the particular features of the conflicts in question.

This is indeed a fact, and it is explicitly mentioned in the report. The challenge, however, is to find the right composition and combination of action so that the different players do not compete with each other, but rather complement and mutually strengthen their endeavours. For that, healthy coordination and cooperation among the interested actors is required at every step of the mediation process. It is within this frame of mind that I am looking forward to the Council's upcoming mission to Africa, where we will have our annual meeting with the African Union Peace and Security Council to discuss existing and possible future joint efforts.

Of course, this phenomenon is not confined to the African continent, and it must be seen as a guiding parameter for all mediation efforts around the world. In this regard, the United Nations, again, is in a crucial position to make its cooperation and coordination with other actors work effectively. Whether through the provision of professional operational support by the Secretariat or via the political endorsement and direction given by the Security Council, the United Nations can indeed make a positive difference to the quality, credibility and efficiency of overall mediation efforts. The groups of friends established within the United Nations framework can also be conducive to effective peacemaking, provided that they have the right membership.

As to the role of the Security Council in particular, the incentives and disincentives that the Council may provide at the different phases of the mediation processes can prove to be an indispensable enabler in convincing the parties to the conflict to settle their differences through peaceful means. That said, we agree with the Secretary-General that:

> "While disincentives have been widely studied and applied, positive incentives have not received much attention and further work to refine them is merited" (*S/2009/189, para. 29*).

In particular, we should be able to make further and more strategic use of the positive incentives available across the United Nations system through different United Nations agencies and funds.

The issue of mediation is particularly relevant to what Turkey tries to do in its region and beyond. Indeed, Turkey has lately been engaged in a number of mediation activities of its own, ranging from Afghanistan to the Caucasus and from the Balkans to the Middle East.

Based on this experience, we have learned that mediation is a complicated process involving multiple actors in a way that requires careful and calibrated steps undertaken with patience and commitment. We have also observed, that compared to intergovernmental organizations, State actors may in some cases have the advantage of flexibility and the ability to act quickly, quietly and discreetly, which can be instrumental to the success of a mediation effort. However, we have also seen that the support of the United Nations and the international community to the ongoing processes, as appropriate, can be crucial.

In conclusion, I am convinced that the issue of mediation and, in particular, the comparative advantages of different international actors for mediation merit further discussion in future thematic settings.

With that, I thank the Secretary-General once again for the guidance contained in his thought-provoking report and express our readiness to actively engage in future deliberations on this topic.

The President (*spoke in Spanish*): Putting aside for a few minutes my functions as President of the Council, I shall now make a statement in my capacity as Permanent Representative of Mexico.

I too thank Under-Secretary-General Lynn Pascoe, for his introduction of the report of the Secretary-General on mediation and settlement of disputes (S/2009/189). I would also like to acknowledge the efforts made by the delegation of Burkina Faso in promoting awareness with respect to this very important item on our agenda.

The large number of delegations taking part in this open debate reflects the importance of mediation for international peace and security. It also reflects the great interest that we all share in the peaceful settlement of disputes and the need to complement our efforts, from within our own individual contexts, to strengthen the Organization's role in mediation and conflict prevention. Mexico is committed to promoting compliance with those recommendations that are relevant to the work of the Security Council as well as to the fostering commitments that will be adopted after this debate.

The introduction of the report of the Secretary-General gives us an opportunity to discuss and propose strategies for the settlement of disputes through mediation.

Traditionally, the Organization has always sought to resolve crises reactively once they have already broken out, diminishing its capacity for immediate action and its preventive role. From several points of view, we must insist today on the great advantages offered by United Nations prevention activities.

The cost of peace will always be less than that of war. Several United Nations reports on conflict prevention point out that the international community spent roughly $200 billion in the seven largest operations of the 1990s: Bosnia and Herzegovina, Somalia, Rwanda, Haiti, the Persian Gulf, Cambodia and El Salvador. These reports also calculate that by taking a preventive approach the United Nations would have saved the international community almost $130 billion, not even thinking about the number of victims of all of these conflicts.

Other studies have shown that over the past 15 years so-called military victories have only resolved less than 8 per cent of conflicts, while negotiations have prevailed in the remaining 92 per cent of the cases.

Mexico has always spoken out in favour of the peaceful settlement of disputes and remains convinced that the true strengthening of the Organization's role in the world depends largely on enhancing the application of Chapter VI of the Charter of the United Nations. Throughout its history, my country has been one of its most active promoters, resorting to international tribunals and arbitration and intensively promoting peaceful dispute settlement through mediation in our region.

Mediation basically refers to peacebuilding and creative and coordinated participation in peace processes with a view to forging agreements and generating political and social stability through negotiation and the fostering of dialogue, beyond scenarios of social and political crisis.

We firmly believe that, to a large extent and thanks to mediation, the region of Latin America and the Caribbean has for several decades been one of the most peaceful regions on the planet. Mediation has favoured the settlement of political, ideological and territorial conflicts and border disputes.

In 1983, the Contadora Group led mediation efforts to restore and maintain peace and security in Central America. Together with Colombia, Panama and Venezuela, Mexico established a mediation mechanism to achieve the easing of tension, political understanding and cooperation in Central America. The consensus achieved through this group is a clear example that in a changing reality political dialogue must be an essential tool for understanding between States. Contadora laid the foundations for peace in Central America, which are enshrined in the Esquipulas Agreements undertaken by the States involved in the region.

In the case of El Salvador, Mexico's participation with the so-called Group of Four facilitated peace efforts that afterwards made it possible to achieve the signing of peace agreements in Chapultepec, Mexico, in 1992. On that occasion, Colombia, Spain, Venezuela and Mexico made up the so-called Group of Friends of the Secretary-General, which offered ongoing support to the negotiation efforts of the United Nations. In that context, the Organization took part as an intermediary and subsequently was in charge of verifying the solution of a non-international armed conflict. This negotiating process stood out not only for its success in peacemaking but also for its innovative character and for the precedent set at the international level.

Similarly, the Group of Friends of Guatemala contributed to the restoration of constitutional and democratic order in that country.

These episodes in Latin American diplomacy not only provide the region of Latin America and the Caribbean with broad experience in the area of mediation and the peaceful settlement of disputes, but have also laid the basis for the establishment of mechanisms for consultation and political dialogue, which are important assets in tackling threats to peace and security in the region.

We should point out that the Contadora Group and the Contadora Support Group gave rise to the Rio Group, whose work has been recognized, for example, in the recent crisis between Ecuador and Colombia in 2008. The work of the Rio Group was decisive in preserving peace and taking the lead towards a peaceful solution to the crisis.

The vocation of the Latin American and Caribbean region is in favour of the peaceful settlement of disputes. The settlement of conflicts such as those of the Beagle Channel between Argentina and Chile and the border between Ecuador and Peru, as well as the referral of a number of territorial disputes and border demarcation to the International Court of Justice are all clear examples of our vocation.

As Article 33 of the Charter points out, the parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by traditional peaceful means.

The Security Council must provide ample opportunity for ongoing reconciliation procedures before calling for action on the basis of Articles 40 and 41 of the Charter. It is precisely in accordance with Article 33 that there is an obligation for all parties to a dispute to seek to resolve them through conventional means. Obviously, mediation must be consensual and the ideal of obligations comes up once the actors or parties to a conflict have agreed to resort to it. However, both mediation and other peaceful means to settle disputes must be exhausted before we resort to actions provided for under Chapter VII.

In our efforts to strengthen mediation activities, we must acknowledge that due to the diversity and complexity of current conflicts, those activities must be adapted to and control the specific context in which they are to operate. Even though the United Nations must play an important role in supporting mediation processes, it does not have a monopoly on these processes. Rather, we must acknowledge the effectiveness that can be shown by diverse players, such as the States concerned, regional and subregional bodies and humanitarian, civilian and other organizations, and we must support their work on the basis of the characteristics of the dispute or conflict. Examples of this approach can be seen in recent cases, such as those of Zimbabwe and Kenya and in resolution 1860 (2009) itself, adopted by the Council last January.

Mexico believes that the Security Council has the dual challenge of urging States to settle their disputes peacefully and also to offer all the support necessary to strengthen and contribute to mediation exercises that are under way. For his part, the Secretary-General must continue to play an important role in preventing conflicts that endanger international peace and security, offering his good offices to the parties in conflict. We applaud the good offices of the Secretary-General and welcome the establishment of the Mediation Support Unit within the Department of Political Affairs.

In my delegation's opinion, the Security Council must be periodically informed on the progress that the Organization is making in that area. In that regard, my delegation believes that it is useful for the Secretary-General to present timely and detailed information on the mediation processes coordinated by the United Nations.

I thus conclude my statement as the representative of Mexico, and I now resume my functions as President of the Council.

We shall now turn to the list of speakers under rule 37. I first to give the floor to the representative of Brazil.

Mr. Tarragô (Brazil) (*spoke in Spanish*): I am pleased, Sir, to see you presiding over the Security Council this month with your usual efficiency.

(*spoke in English*)

I thank you, Mr. President, for holding an open debate on mediation and settlement of disputes, which is rather appropriate and timely. After all, it seems that we are entering a new era, in which renewed efforts are being made to settle disputes by peaceful means rather than by military intervention. This debate reminds us of a fundamental role of the United Nations that has not received the attention and support needed. The debate is also consistent with the current emphasis on strengthening preventive diplomacy at the United Nations.

I would also like to thank the Secretary-General for his comprehensive and stimulating report (S/2009/189) and Under-Secretary-General Pascoe for his briefing.

There seems to be widespread agreement on the merits of mediation and other means of pacific settlement of disputes referred to in Article 33 of the Charter. There is equally general support for making broader use of mediation and for a strong role for the United Nations in such a domain. That was made clear at the 2005 World Summit. Our leaders emphasized the existing obligation to settle disputes by peaceful

means, in accordance with Chapter VI of the Charter and with the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. They also recognized the important role of the good offices of the Secretary-General, including in the mediation of disputes, and the need to strengthen the Secretariat's capacity in that area.

Based on such solid political consensus, Member States need to address a number of conceptual, political and practical aspects related to mediation, such as those addressed by the Secretary-General in his report. I wish to share my delegation's perspectives on a few of them.

Mediation can be a powerful tool to help reach a solution in various stages of a dispute, but we believe the sooner it is used, the better. An effective mediation process can assist opponents to reach a settlement before the dispute turns into an armed conflict. Once violence flares, making peace becomes more challenging and human costs start rising, often dramatically.

Early mediation will be easier to provide if the United Nations and other actors develop and keep the expertise needed for immediate and/or rapid use. In that regard, we welcome the establishment of the Mediation Support Unit within the Department of Political Affairs and its recent strengthening through the addition of seven posts. Likewise, we support efforts to help regional organizations to reinforce their own mechanisms for dispute settlement, as well as to assist national and local institutions in that respect.

Such cooperation is crucial, since actors other than the United Nations can be very effective as mediators and in some cases may stand higher chances of success. Recent examples of successful regional or subregional mediation come to mind. In the Americas, the Organization of American States was able to assist Colombia and Ecuador, and in Africa the Southern African Development Community was key to bringing about national unity in Zimbabwe. Even in cases where others are better placed to mediate a dispute, the Organization should still be ready to provide support, both political and technical, to those taking the lead, if needed.

The Security Council makes good use of mediation when, for instance, it decides on the mandate of some peacekeeping operations, but it could resort more frequently and decisively to the peaceful settlement of disputes. We know that the Council's firm support to mediators strengthens their position and encourages parties to seriously engage in negotiations. Other measures could be explored.

Apart from assisting in the settlement of specific disputes, further recourse to Chapter VI contributes to the long-term sustainability of action under Chapter VII. Early efforts to peacefully resolve disputes reduce threats to peace and security and therefore help to maintain the demand for peacekeeping operations at levels that the United Nations and Member States can manage adequately. From that perspective, greater use of mediation can be a part of the Council's overall response to the increased magnitude and complexity of peacekeeping.

Therefore, my delegation agrees with the recommendations submitted by the Secretary-General. We attach particular importance to strengthening conflict prevention and resolution through early engagement, developing close partnerships with regional and subregional organizations and promoting national and local capacity in conflict prevention and resolution.

In conclusion, I wish to stress my delegation's continued interest in this debate. We are also willing to explore how to further integrate innovative means of peaceful settlement of disputes into the agenda of the principal organs of the United Nations, including the Security Council.

The President (*spoke in Spanish*): I now give the floor to the representative of Canada.

Mr. Normandin (Canada) (*spoke in French*): First of all, I would like, Sir, to thank you and the Mexican delegation for organizing this important meeting.

I would also like to thank the Secretary-General for his report (S/2009/189) and the Under-Secretary-General, Mr. Pascoe. The report is a very useful document to understand mediation as a key instrument for the maintenance of peace and security. As the Secretary-General said, very little attention and few resources are devoted to mediation. That is all the more surprising, since that approach is very relevant and promising as well as cost-effective when seeking a solution to a conflict.

Last January, at the Security Council's open debate on peacekeeping operations (*see S/PV. 6075*), Canada stated that, following the Brahimi report, special attention should be paid to some existing or new challenges that the United Nations needed to meet in the field of peacekeeping. In particular, Canada underlined the importance of harnessing the preventive capacity of the United Nations, as prevention remains a fundamental and joint responsibility of the United Nations, its senior officers and the Member States. The unique legitimacy of the United Nations in the field of mediation and conflict resolution is widely acknowledged. However, beyond the Secretariat's good offices, it is important to recall that Chapter VI of the United Nations Charter also bestows on this Council the general responsibility to engage in prevention activities.

Canada also stressed the importance of the political dimensions of peace operations. Increasingly, conflicts are not fully resolved when a peace operation is deployed, and the regional dimensions or the partial respect for peace agreements complicate a large number of operations. In such cases, the political dimensions of peace operations become vital.

Yet, it must be acknowledged that those political dimensions are not well integrated within peacekeeping structures. Continued mediation efforts before, during and after the deployment of a peacekeeping mission, whether or not there is a comprehensive peace agreement, are paramount to the success of United Nations efforts to re-establish peace and security.

The Secretary-General's report makes excellent recommendations. I should like to speak in particular about four of these.

First, Canada unreservedly supports the need to build on the progress of the Mediation Support Unit (MSU) within the Department of Political Affairs. Canada has provided funding to the MSU to develop its roster of external experts for rapid deployment. Canada's contribution to that project will be supplemented by a list of Canadian mediation experts.

Secondly, the imbalance between the number of men and women in senior mediation posts should be corrected. To date, there have been no women among chief mediators, and very few in formal mediation roles of any kind. Canada applauds the Secretary-General's expressed intentions in that regard and requests that concerted efforts be made across the United Nations system to turn that commitment into results.

Thirdly, mediation efforts require dedicated expertise to ensure that appropriate and inclusive approaches are applied to all sectors. The nature of conflict is changing, and our response must adapt accordingly. Increasingly, sexual violence is used as a tactic of warfare; ceasefire and other mediated agreements must acknowledge and address that issue. Resolutions 1325 (2000) and 1820 (2008) provide essential guidance on these matters for mediators.

Fourthly, the Secretary-General mentions the importance of strengthening regional mediation capacities. Canada fully supports the recommendation to ensure closer partnerships with regional and subregional organizations. Let me also add to the list the important contribution made by the International Organization of la Francophonie, inter alia, in Chad and the Central African Republic.

(*spoke in English*)

With respect to the Americas, Canada is developing a partnership with the Organization of American States (OAS) to deploy Canadian mediation support expertise within the OAS Department of Democratic Sustainability and Special Missions. Let me also note that Canada continues to assist in the effective implementation of the Kenya National Dialogue and Reconciliation agreements to encourage the ongoing political dialogue between the coalition partners through the mediation assistance of the Panel of Eminent African Personalities.

Successful mediation efforts demand synergies among the various departments, funds, programmes and agencies of the United Nations. As different aspects of peace agreements are addressed, the work of mediation experts and various United Nations representatives from other fields can be mutually reinforcing.

Let me note that Canada is currently undergoing an internal policy exercise to consider past engagement in mediation processes and to examine options for enhancing Canada's contribution to the prevention and resolution of conflicts through mediation in the future. As we begin to see the appearance of new trends in mediation — including the next generation of mediators, such as non-governmental organizations — the Security Council's work on the maintenance of

peace and security is going to be affected and it must be agile and responsive to these changing circumstances.

In conclusion, let me say that Canada looks forward to engaging with the United Nations in this area and to supporting the work of the Security Council in particular.

The President (*spoke in Spanish*): I give the floor to the representative of Egypt.

Mr. Abdelaziz (Egypt) (*spoke in Arabic*): I should like to thank you, Sir, for convening this open debate, and the Secretary-General for his report (S/2009/189) on enhancing mediation and its support activities, submitted pursuant to the presidential statement of 23 September 2008 (S/PRST/2008/36), adopted under the presidency of Burkina Faso. We pay tribute to the report's objectivity with respect to the importance of mediation as a means of preventing armed conflicts or of settling them in their early stages, before they escalate into armed conflicts threatening international peace and security. That is why this issue must be addressed at the international level through the Security Council.

I should also like to thank Under-Secretary-General Lynn Pascoe for presenting the Secretary-General's report, and to associate myself with the statement to be delivered by the representative of Cuba on behalf of the Non-Aligned Movement.

Despite the Secretary-General's intensive efforts to enhance the United Nations capacity to assume its mediation responsibilities, the implementation of the provisions of the 2005 World Summit Outcome Document (General Assembly resolution 60/1) as an informal framework for promoting peaceful settlement has yet to rise to the level of arbitration among parties. However, the report perpetuates the confusion between mediation activities aimed at preventing conflicts through preventive diplomacy, such as good offices and the facilitation of dialogue and mediation, and the settlement of disputes and post-conflict peacebuilding activities.

It is also important to identify the range of mediation tasks that the United Nations can undertake while maintaining clear objectives and a time frame focused on the phase when a dispute among States or within a State is still at the stage of a difference of opinions. Such tasks must be undertaken before a crisis, if not settled, escalates into an international or internal conflict that threatens international peace and security and upon the request or the direct approval of the State or States concerned.

From this perspective, the United Nations and the Security Council in particular have a major responsibility in enhancing the trust of Member States in their capacity to mediate in an objective, transparent and neutral manner. That responsibility should be assumed in a way that provides the United Nations with an exceptional role in this field and in cooperation and coordination with regional and subregional organizations and arrangements. That role should directly influence the sovereign decisions of States, upon their request and approval, through arguments and negotiations demonstrating that the parties' interests can be served through such efforts. Those efforts must be made in accordance with the principles of national ownership and in respect for the relevant provisions of the Charter on sovereignty and regional security.

This can be achieved not only through the restructuring of the Department of Political Affairs, the establishment of the Mediation Support Unit and the strengthening of its capacity to assume the role for which it was created, but also by enhancing international conviction that the Secretary-General and his seniors assistants, who play the role of mediators, are starting with a neutral perspective, accurate information and realistic approaches. They should take into account all aspects relating to the cultural, political, religious, ethnic and other causes of international conflicts, independent of the views and visions of the Security Council members, in addressing situations in their early stages. Their work should also be based on the enhanced independence of the Secretary-General and his representatives as they assume their exceptional roles free of all influence.

We in the African Union have accumulated mature experience in the field of mediation through the Panel of Eminent African Personalities. The Panel comprises a number of former leaders known for their wisdom, impartiality and justice. It meets periodically to follow up on developments in various African countries in a manner that allows for an incremental accumulation of information on disputes that might arise at different stages, and takes advantage of the trust that African leaders place in these eminent personalities. This trust has been built over the course of years and is founded on the record of achievements

of every one of its members in their country of origin. The Panel is also founded on its diversity, representing all African subregions, on the full independence and absolute impartiality of its members, and on their awareness of regional developments.

Without doubt, the ability of the United Nations to mediate between nations is directly linked to its ability — particularly that of the Security Council — to deal effectively with conflicts when they arise. It is not enough for the United Nations to manage crises without making any real effort to settle disputes. That has led to the increase of peacekeeping operations to their current level, which endangers the chances of dispatching additional such missions in the near future. In this regard, Egypt believes that there is an organic link between deploying peacekeeping missions and attaining peace agreements. We therefore agree with the Secretary-General observation in his report on the work of the organization at the sixty-third session of the General Assembly: that peacekeeping requires that there be a peace to keep. Accordingly, all parties should consider the role of the United Nations in addressing issues of concern at an early stage, before these issues evolve into conflicts that require intervention by the Security Council or the dispatch of a peacekeeping operation.

From that perspective, Egypt emphasizes the critical importance of strengthening the organic link between the Security Council and the African Union Peace and Security Council and of deepening cooperation between those two organs in the field of mediation. The successes of the two organs can be enhanced by strengthening coordination in these activities between the Secretary-General of the United Nations and the African Union Commissioner. From the same perspective, we stress the centrality of enhancing the joint mediation efforts of the United Nations and the League of Arab States on the one hand and the Organization of the Islamic Conference on the other, in order to address issues involving Member States in the same manner in which the international community has recently been dealing with the case of Darfur.

The report's consideration of lessons learned highlights the importance of preventing the repeated failure of mediation processes in a manner that could negatively affect efforts to reach a settlement. It also stresses the importance of coordination among various United Nations bodies, with due regard for gender balance in the appointment of mediators; of appointing appropriate trustworthy personnel to assume mediation roles; and of ensuring respect for the rules of international law in dealing with serious crimes, especially with respect to the scope of application of the Rome Statute of the International Criminal Court.

We accept most of the recommendation set out in the report, but Egypt observes with increasing concern the Secretary-General's attempt to finance all the mediation and mediation support activities through voluntary contributions, even though this could affect the neutrality of these efforts and lead to their failure. Egypt believes that mediation processes have to be financed through formal contributions to the United Nations budget and that such processes should be listed in the Organization's budget among the special political missions. In this regard, we have previously suggested the establishment of a special account in order to avoid calculating such activities as extras in the budget. We will continue to support this proposal with a view to its adoption by the General Assembly, which is the principal organ originally mandated to deal with budgetary issues.

The President (*spoke in Spanish*): I now give the floor to the representative of Switzerland.

Mr. Maurer (Switzerland) (*spoke in French*): At the outset, Mr. President, I would like to thank you for organizing this open debate and giving non-members of the Council the opportunity to state their views on today's important and timely topic. I am most grateful too to Under-Secretary-General Pascoe for his briefing, and in particular for the illustrative examples he provided.

My statement will address three points: the concept and significance of mediation; examples of our cooperation with the United Nations; and some major challenges.

The concept of mediation has changed significantly over the past 20 years. From being seen as an art mainly practiced by elder statesmen, mediation is now increasingly viewed as a profession demanding highly specialized personnel. In fact, mediation is a complex undertaking involving numerous actors. It is best conducted by integrated teams of mediation experts of different levels and with diverse backgrounds. Experience shows that mediation is an effective instrument to resolve conflict. It increases the probability of reaching an agreement and of long-term

reduction of tensions. Research suggests that since 2000, 17 conflicts were ended by the negotiation of a peace agreement, whereas four ended by the military success of one side.

To be sure, the effectiveness of mediation depends on many different factors. Active Security Council engagement can play an important role in strengthening and supporting mediation activities. We therefore welcome the report of the Secretary-General on enhancing mediation and its support activities (S/2009/189), and we welcome today's debate. The report is a timely, adequate and useful contribution to further discussions in the Council. At the same time, it is true as well that mediation efforts need support beyond the Security Council. The Council bears an important responsibility of striking the proper balance between providing support and maintaining the autonomy of negotiators. It must also pool its own efforts with those of stakeholders outside the Council who are able and willing to make contributions. Finally, it must adapt outside contributions to the needs of local and regional actors. Rightly, the report touches upon some of these issues.

Switzerland commends the Secretary-General's approach to mediation, as described in his report, and supports United Nations activities based on this concept in many ways. Let me mention two examples. Swiss mediation specialists have been deployed to United Nations mediation processes, as in the case of the former head of the group of legal experts for the Cyprus peace process. In other cases, these mediators have worked closely with the United Nations. In Sudan for instance, we are cooperating with the joint African Union-United Nations mediation team for Darfur by providing assistance and training for various parties to the conflict. In Nepal, Swiss experts have been working in close cooperation with the United Nations in facilitating dialogue between the parties.

Switzerland has also supported the Mediation Support Unit, financially and through training and conceptual knowledge on best practices, including guidance notes on federalism and mediation in peace processes and on dealing with the past and mediation in peace processes.

The Secretary-General's report addresses many important issues that reflect in some ways our own national experience. Let me give three examples.

First, to be successful, mediation has to address the root causes of a conflict and requires a thorough understanding of the local situation and its cultural, political and ethnic dimensions. In this regard, close cooperation with local mediators and civil society is important. Such cooperation also strengthens local ownership of the process.

Secondly, implementation of the provisions of resolutions 1325 (2000) and 1820 (2008) on women and peace and security remains a major challenge. We therefore strongly support the commitment of the Secretary-General to increase the proportion of women included in mediation teams and in particular to strengthen the gender-related expertise of senior mediators and their teams.

Thirdly, meaningful mediation has to involve all parties involved. This can lead to the dilemma of how to address both the imperatives of justice and those of peace. The standards and guidelines that have been formulated in this area are a good example of how mediation has been professionalized. However, there still is need for better cooperation among all actors involved if we want to be able to implement these standards.

In conclusion, let me stress how important it is for the Council to develop a collective vision of its role in international mediation efforts, taking into account the synergies and linkages among mediation, peacekeeping and peacebuilding. It is also very important for the Council to continue the dialogue with non-members on this topic. We consider the report of the Secretary-General and today's meeting to be important first steps.

With respect to the follow-up, it will be necessary to formulate more specifically the ideas contained in the report and further develop the general framework that the Secretary-General has proposed today.

The President (*spoke in Spanish*): I now give the floor to the representative of Bosnia and Herzegovina.

Ms. Čolaković (Bosnia and Herzegovina): Mr. President, at the outset I wish to thank you for convening this important debate. I am sure that this meeting, under your able guidance, will be very fruitful.

Bosnia and Herzegovina aligns itself with the statement to be delivered by the representative of the Czech Republic on behalf of the European Union.

I also would like to express my appreciation to the Secretary-General for his skilfully crafted report on enhancing mediation and its support activities.

The modern world is going to face new challenges. There are some prognoses that predict a number of possible future drivers of conflicts, such as severe economic and social problems, oil, some strategic minerals and climate change and, in that connection, the depletion of resources.

We have learned from modern history that the vast majority of conflicts cannot be solved by the use of force. There is no need to mention that war takes a nation's valuable economic and financial resources and its most precious resource: human lives. My intention is not to stress that armed conflicts are expensive but rather that they are meaningless. At the end, all parties involved in a conflict arrive, by themselves or through other players in international relations, at a solution by which to end the conflict. My statement concludes that the peaceful settlement of disputes through mediation is and will be an indispensable tool in resolving contemporary and possible future conflicts.

Theoretically speaking, mediation as a method of peaceful settlement of disputes can be traced to the ancient world. This proactive method means that the mediator is active and takes part in negotiations, suggesting terms of settlement to the parties, and sets preliminary arrangements based on areas in which the parties can agree. Also, a mediator has to enjoy the confidence of the parties to a dispute and must be impartial. This definition provides basic elements of the notion of mediation, which is a truly sensitive and very delicate matter. But when this method comes to life with its complexity, many questions arise and have to be answered.

In that regard the report of Secretary-General, with its sophisticated methodology and precise analysis, is a real masterpiece in this matter. It should be included in the literature for any future mediators, and publishing it in a handbook edition should be considered.

Bosnia and Herzegovina has its own painful experience. Unfortunately, Bosnia and Herzegovina has experienced mediation in all three stages of conflict. It is unnecessary to say that mediation at the first stage, when the conflict still had not escalated into armed conflict, failed. Because of our "street smart" experience, my delegation would like to underline some points from the report.

First, disputes should be resolved at an early stage, before they turn into violent conflict, and the process should be as inclusive as possible. The United Nations, with all its capacity, should be engaged in the process as soon as possible. Every avenue — I repeat, every — must be explored to persuade actors to engage in negotiations at a very early stage of conflict.

Secondly, the mediator should possess good listening and problem-solving skills and should be supported by a highly skilled professional team. In that regard, women should be appropriately represented at decision-making levels.

Thirdly, leverage in mediation is very useful tool, but it must be used delicately or it can cause resistance. It this connection, managing spoilers is crucial, especially if powerful international actors are in play to control them. Sometimes it is very useful when some neighbouring countries or regional powers that are in close relationship with actors exert pressure on them in order to persuade them to sit at the table.

Fourthly, the United Nations should continue to build closer partnerships with regional, subregional and non-governmental organizations in mediation capacity-building. Acting in synergy, all those organizations may be considerably helpful in the field of conflict prevention.

Finally, Bosnia and Herzegovina welcomes the establishment of the Mediation Support Unit in the Department of Political Affairs and supports the recommendation by Secretary-General that the United Nations develop the next generation of mediators who will have the skills to manage any future challenges.

In conclusion, I would like to stress that only strengthening the capacity of the United Nations to prevent conflict in its every phase — the first stage, before it escalates into armed conflict; the second stage, after the outbreak of violence; and the third stage, the implementation of peace agreements — can guarantee that the future world will be a much safer and better place to live.

The President (*spoke in Spanish*): I now give the floor to the representative of Algeria.

Mr. Benmehidi (Algeria) (*spoke in French*): At the outset, I wish to congratulate you, Mr. President, on

your accession to the presidency of the Security Council for the month of April and to thank you for organizing this meeting devoted to mediation and settlement of disputes, in extension of the timely initiative of the delegation of Burkina Faso during its Council presidency in September 2008. The choice of this topic demonstrates yet again the continuity and steadfastness of the commitment of Mexico in the service of peace and security throughout the world.

I also wish to convey my gratitude to Mr. Pascoe, Under-Secretary-General, for his comprehensive briefing.

Today's debate, the framework for which has been provided by the report of the Secretary-General on enhancing mediation and its support activities, provides an opportunity to underscore our support for the United Nations role in finding solutions to problems through negotiation.

The peaceful settlement of disputes, in addition to being a guiding principle in international relations, is a common objective at the very heart of our Organization's activity. The promotion of this type of dispute settlement, excluding the use of force, is a fundamental principle in Article 2 of the Charter, and all of Chapter VI is devoted to it. Mediation, which is part of peaceful settlement, is rightly considered to be the most cost-effective and efficient way to find constructive solutions to disputes.

Since its creation the United Nations has, through the good offices and mediation of its Secretaries-General and of eminent personalities, undertaken significant efforts to peacefully resolve conflicts in the world, and its actions have often been crowned with success. However, sometimes those actions were considered failures because of a lack of a good understanding of the dynamic of conflicts and of the stakes involved, which in hindsight masked a lack of preparation or an imperfect command of the use of time, if not an intentional lack of will to uphold the authority of the United Nations and the Charter principles.

To mitigate those shortcomings, the proposal of the Secretary-General to create, as part of the comprehensive restructuring of the Organization, a Mediation Support Unit composed of a pool of well-trained experts has been welcomed by all Member States. From our point of view, it is the institutional anchor for an activity that we need to support by promoting improvement of the quality of operational support to mediators, a good connection of United Nations interventions with regional and subregional pillars and, finally, greater involvement of the Security Council and its support for the mandate entrusted to mediators.

Experience has shown that to be genuinely effective, mediation, far from falling within the exclusive remit of the United Nations, benefits from association with a multiplicity of actors pooling their efforts and whose skills are brought to bear at different stages of the process, according to their specific contribution and taking account of the comparative advantage that their actions represent, in terms of both political and material costs.

Moreover, we are of the view that improving the method of financing special political missions will make it possible to identify ways to optimize the use of the Organization's resources over the medium and long terms.

Africa has long cultivated a tradition of negotiation and dialogue to resolve disputes by peaceful means. That culture of dialogue already existed when the Organization of African Unity was established in 1963, through the Commission of Mediation, Conciliation and Arbitration. Its activities were intended to facilitate the goal of continental development, which at the time was constantly being hampered by the proliferation of conflicts.

With its transformation into the African Union in 2002, its member States undertook the substantive renewal of a number of its organs, taking care to include in its new institutional architecture a similar conflict management and resolution mechanism, based on a Panel of the Wise responsible for supporting its efforts in order to prevent the eruption of conflicts and to create favourable conditions for conflict management and resolution. That mechanism, which was a first on both the African international scenes, has not only enabled African countries to give concrete content to the culture of peace — which represents a strong aspiration of all African peoples — but, also, and in particular, has given Africa the opportunity to capitalize on considerable experience in its quest for lasting solutions to conflicts.

At a time when we are witnessing an unprecedented increase in the number and scale of United Nations peacekeeping operations, which have

revealed the objective limits of the Organization's capacity to meet these needs, it is becoming imperative to make the too-long-awaited change of moving the Organization from a culture of reaction to a culture of prevention. The international community as a whole and the Security Council in particular must now commit themselves to a resolute approach aimed at supporting, consolidating and broadening the momentum launched on the African continent by the African Union, from which the United Nations will only stand to benefit.

Finally, I should like to stress that Algeria, which has always advocated the peaceful settlement of disputes, has often been called upon to mediate in situations as varied as the 1974 territorial dispute between Iran and Iraq, in which conflict was avoided; the 1979 hostage crisis between the United States and Iran; the civil war in Lebanon, leading to the conclusion of the Taif Accords; the open conflict between Ethiopia and Eritrea, which ended with the 2000 Algiers Agreement; and the ongoing efforts regarding issues of a sensitive and internal nature in the immediate regional environment on its southern border. From those situations, we have learned that any successful mediation effort must be carried out with respect for Charter principles and depends on the unequivocal political will of the parties to a dispute, the mediator's deep sensitivity to the environment and, above all, the parties' confidence in the mediator.

The President (*spoke in Spanish*): I now call on the representative of Morocco.

Mr. Loulichki (Morocco) (*spoke in French*): My delegation is pleased to see you, Sir, presiding over the Security Council on behalf of Mexico for the month of April, at a time when the Council is considering the issue of mediation in the light of the clear and comprehensive report of the Secretary-General (S/2009/189), presented today by Under-Secretary-General Lynn Pascoe.

The enshrining in the Charter of the United Nations of the customary principle of the peaceful settlement of disputes gave legitimacy to mediation as the preferred and effective means to resolve disputes and conflicts. Since then, mediation has proved its effectiveness and usefulness in many situations in the quest for solutions to crises. It is becoming increasingly important in a world torn by the proliferation of various kinds of conflicts and by the fragility of post-conflict situations. Here, we can only be pleased that various forms of mediation are tending to take on a preventive character and to cover post-conflict situations.

In the practice of mediation, it has been amply demonstrated that the success of any such effort continues to depend on the commitment of the parties to cooperate positively with the mediator's efforts. The success of such an undertaking involves a certain number of principles: first, the consent of the parties to resort to the mediator's services; secondly, the genuine — and not just apparent — political will of the parties to commit themselves to the settlement process, and their adoption of positions that support, rather than obstruct, a settlement; and thirdly, the objectivity and impartiality of the mediator in his understanding of the dispute and his commitment to safeguarding and consolidating the gains achieved. That requires, above all, knowledge about the history of the situation, awareness of its realities and an ability to maintain an ongoing, substantive, realistic and future-oriented dialogue with the parties to the dispute.

As mediation is simply a catalyst and a modus operandi designed to influence the conduct of the parties and to bring their points of view closer together, the difficulty, as the Secretary-General indicates in his report, lies in transforming "this adversarial process into one of problem-solving", in nudging "reluctant parties towards accommodation" and in "moving away from entrenched positions to explore innovative options" (*S/2009/189, para. 25*).

On their own with the mediators, the parties cannot make progress without the support of the Security Council, the efforts of the Secretary-General and the encouragement of Member States. Indeed, the role that the Council can play in the area of mediation is essential and has a positive and immediate impact on the conflict. Through its support for the good-offices efforts of the Secretary-General and his envoys and representatives, the Council promotes mediation and provides ample opportunities for conflict settlement through peaceful means, over and above any other alternative.

At the same time, and by virtue of its responsibility for the maintenance of international peace and security, the Council can use its authority vis-à-vis the parties to a conflict in order to maximize the gains and advantages offered by mediation and can

encourage the parties to adopt a constructive attitude to United Nations efforts and to consider the impact on the region's peoples and on the objective of international peace and security.

The Secretary-General, for his part, plays a valuable complementary role and enjoys prestige that enables him to intervene effectively to overcome an impasse in or re-launch the settlement of a dispute or conflict. That role should be politically and materially supported, including through assistance for the Mediation Support Unit, the establishment of a database of potential candidates for mediation, facilitation and negotiation and, finally, the promotion of training in the area of mediation.

Furthermore, while the observation made in the Secretary-General's report about the role played by States in conflict reduction and resolution applies to Security Council member States and other influential States, it applies equally — if not more — to the States that are neighbours to the zone of conflict or dispute. Indeed, the emphasis placed in the report on the imperative need to understand conflicts in their regional or subregional context underscores that fact, which requires States in the region to conduct themselves in a positive manner with regard to settling the dispute or conflict.

However, the results of mediation, when it succeeds, can be incomplete or can easily be reversed if peacebuilding efforts do not follow — if the international community disengages itself from the conflict and does not help the parties to strengthen the rule of law and democracy, to re-launch their economies and to better manage the post-conflict phase.

In its thinking and in its actions, Morocco has always favoured the peaceful settlement of disputes and conflicts. It has always been committed to fostering dialogue and bringing together points of view in different regions of the world, in particular in the Middle East and in Africa, including in the Mano River region. My country's commitment to the peaceful settlement of disputes strengthened its early commitment to the United Nations in peacekeeping operations, a commitment which continues and is growing stronger.

Finally, Morocco is ready to associate itself with the efforts of the United Nations and to support it in its quest to acquire a mediation support structure that would be efficient and effective within the framework of strengthening United Nations-preventive diplomacy.

The President (*spoke in Spanish*): There are still some 20 speakers remaining on my list for this meeting. I intend, with the concurrence of members of the Council, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.05 p.m.